

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALEX HOLMES, JOSH NAVARRO, NICO  
TRAMONTANA, BITCOIN VENTURES 2020, LLC,  
YASAR CORPORATION and ONEPURPOSE LTD.,

Plaintiffs.

against-

CHET MINING CO, LLC, CHET MINING CO  
CANADA LTD., and CHET STOJANOVICH,

Defendants.

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**AFFIRMATION OF JOHN F.  
HARWICK, ESQ. IN FURTHER  
SUPPORT OF PLAINTIFFS'  
MOTION FOR CIVIL AND  
CRIMINAL CONTEMPT**

Case No.: 1:20-CV-04448-LJL

JOHN F. HARWICK, ESQ., an attorney admitted to practice in this Honorable Court affirms and certifies under penalty of perjury the following:

1. I am a partner with the law firm E. Stewart Jones Hacker Murphy LLP, attorneys for the plaintiffs in the above-captioned matter.
2. I respectfully submit this affirmation in further support of the plaintiffs' motion for civil and criminal contempt, which is set to be heard on April 11, 2022 at 10:00 a.m. at 500 Pearl Street, Courtroom 15C, before the Honorable Lewis J. Liman.
3. This affirmation is based upon my personal knowledge.
4. The plaintiffs are judgment creditors of the defendants, being owed over \$1.0 million dollars in total.
5. Plaintiffs previously filed a motion seeking to hold Chet Stojanovich in contempt for failing to comply with plaintiffs' New York CPLR Article 52 Subpoena served to aid enforcement of their money judgment. (Dkt # 62). Mr. Stojanovich never filed opposition to that motion.

6. On February 14, 2022 the Court held a telephone conference regarding the contempt motion. Mr. Stojanovich appeared via telephone. A copy of the transcript from that proceeding is attached hereto as Exhibit “A”.

7. At page 22 of the transcript, the Court ordered Chet Stojanovich to personally appear at Diamond Court Reporting in New York City on March 4, 2022 at 11:30a.m. to continue his Article 52 deposition.

8. The Court further ordered that Chet Stojanovich produce all of the documents that was requested in the subpoenas dated January 29, 2021, March 29, 2021 and May 18, 2021 as further supplemented by the request made at his deposition of June 23, 2021 by no later than March 1, 2022. P. 22.

9. Chet Stojanovich indicated his understanding with the Court’s clear and direct Order. P. 23.

10. The time and location of the deposition was confirmed with Chet Stojanovich by way of my letter dated February 15, 2022 which was served via Federal Express and e-mail on that day. (Dkt #68). A true and correct copy of said letter is attached hereto as Exhibit “B”. Chet Stojanovich was also provided with a copy of the transcript from the February 14, 2022 Hearing with that letter.

11. While Chet Stojanovich did appear for part of his deposition on March 4, 2022, he did not produce the subpoenaed materials by March 1, 2022 as ordered by the Court on February 14, 2022. To date, Mr. Stojanovich has not produced complete documents and information as ordered by the Court.

12. A copy of the transcript from the March 4, 2022 deposition is attached hereto as Exhibit “C” and is cited as “CS”.

13. At page 7 of the transcript, I memorialized the fact that subpoenaed documentation as ordered by the Court had not been received by me electronically or otherwise.

14. Nevertheless, Chet Stojanovich was questioned regarding his financial and business dealings and once again was extremely evasive with his answers. While he admitted to having accounts at Santander Bank, Capital One and JP Morgan, he failed to produce any documentation associated with those accounts. CS p. 49. He also was extremely evasive when asked about his various electronic devices. CS p. 51-52.

15. I reiterated my previous demand that the electronic devices owned by Chet Stojanovich be produced for forensic examination. CS p. 53.

16. After approximately one (1) hour of unfruitful questioning, I requested that Chet Stojanovich go down to his rental car and retrieve his phone, wallet and car rental agreement so I could examine the contents thereof. CS p. 66.

17. The deposition was temporarily adjourned at 12:30 p.m. and it was stipulated that we would recommence the deposition at 1:00 p.m. CS p. 66.

18. Thus, we went off the record at 12:33 p.m. and it was agreed that we would recommence at 1:00 p.m. CS p. 66, 68.

19. Mr. Stojanovich left to go to his car to retrieve his phone, wallet and car rental agreement. CS p. 68.

20. He never came back. CS p. 69-70.

21. We went back on the record at 1:30 p.m. CS p. 69.

22. Chet Stojanovich failed to return to the deposition to complete the same and failed to produce his phone, wallet and rental car agreement. CS p. 69-70. The videographer checked the hall and the lobby and Mr. Stojanovich was not there. CS p. 71-72.

23. I attempted to call Chet Stojanovich's cell phone but got no response. P.70.

24. After waiting for Chet Stojanovich for approximately one (1) hour, I further adjourned the deposition. CS p. 72

25. Chet Stojanovich is being provided a copy of these papers via e-mail and U.S. Mail. Notably, Chet Stojanovich agreed to accept service via e-mail at the last conference in this matter held on March 25, 2022. A copy of that transcript is attached hereto as Exhibit "D".

26. A copy of the Court's Order scheduling the upcoming April 11, 2022 contempt is attached hereto as Exhibit "E". This Order has been separately served on Chet Stojanovich.

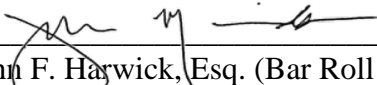
27. The undersigned will be personally present in Court before Your Honor on April 11, 2022 to further expand on Chet Stojanovich's continued efforts to frustrate and avoid the enforcement of my clients' sizable money judgment.

28. In light of the foregoing, plaintiffs respectfully request that the Court issue an arrest warrant against Chet Stojanovich a/k/a Chester Stojanovich a/k/a Chet J. Stojanovich directing that the United States Marshal place him under arrest and imprison him until he fully complies with the Court's February 14, 2022 Order requiring him give truthful testimony and to produce documentation and information to aid them in the enforcement and collection of plaintiffs' money judgments.

Dated: April 1, 2022

E. STEWART JONES HACKER MURPHY LLP

By:

  
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